

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAWN MAXWELL,

Plaintiff,

v.

LISA PACIONE, *et al.*,

Defendants.

Case No. 1:24-cv-00409-CDB

ORDER TO PAY FILING FEE IN FULL OR
SUBMIT APPLICATION TO PROCEED IN
FORMA PAUPERIS

30-DAY DEADLINE

Clerk of the Court to Serve IFP Application

Plaintiff Shawn Maxwell is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On April 8, 2024, the Clerk of the Court returned to Plaintiff a check remitted in satisfaction of filing fees because Plaintiff did not pay the correct fee. *See* (docket entry dated 4/8/2024).

All parties instituting any civil action, suit or proceeding in a district court of the United States, except an application for writ of habeas corpus, must pay a filing fee of \$405, unless payment of such fee is excused through the Court's granting of a plaintiff's application to proceed *in forma pauperis*. *See* 28 U.S.C. § 1914.¹ Plaintiff has not paid the \$405 filing fee or submitted an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

¹ In addition to the \$350 statutory fee, civil litigants must pay an additional administrative fee of \$55. *See* 28 U.S.C. § 1914(a) (Judicial Conference Schedule of Fees, District Court Misc. Fee Schedule ¶ 14 (eff. Dec. 1, 2023)). The additional \$55 administrative fee does not apply to persons granted leave to proceed in forma pauperis.

1 Accordingly, it is HEREBY ORDERED that, **within 30 days** from the date of service of
2 this Order, Plaintiff shall prepay the \$405.00 filing fee in full OR submit the attached application
3 to proceed *in forma pauperis*, completed and signed. **Plaintiff's failure to comply with this**
4 **Order will result in a recommendation for dismissal of the action without further notice.**

5 The Clerk of the Court is directed to provide Plaintiff with an *in forma pauperis*
6 application.

7 IT IS SO ORDERED.

8 Dated: **April 18, 2024**


UNITED STATES MAGISTRATE JUDGE